

Attached as an exhibit to this motion are two charts that set forth the appropriate amount of fees that should be awarded if the Court agrees with one or the other of the two alternative arguments. The charts list the number of defense counsel hours in the relevant time periods and incorporate the hourly rates deemed reasonable by the Court and the reductions for excessiveness and vagueness already imposed by the Court. Depending on which of the alternative arguments the Court accepts, one of the amounts would be substituted for the figure of \$1,058,373.97 that the Court held was owed when it issued its opinion without addressing those two arguments. If the Court agrees with the first argument, the total amount owed would be \$490,646.22. If the Court instead agrees with the second argument, the total amount owed would be \$339,079.36.

For the reasons set forth in the supporting memorandum and also at pp. 3-6 of doc. 363, this motion should be granted and the fee award modified accordingly.

Respectfully submitted,

/s/ Robert B. McDuff

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of April, 2024, the foregoing was served on all counsel of record by operation of the Court's electronic filing system.

/s/ Robert B. McDuff -